

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**CHRIMAR SYSTEMS, INC., et al,**

**v.**

**ALCATEL-LUCENT USA, INC., et al.  
(LEAD CASE)**

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**Civil Action No. 6:15-cv-163 -JDL**

**ORDER**

Before the Court is Plaintiffs Chrimar Systems, Inc. and Chrimar Holding Company, LLC's ("Chrimar") letter brief request to file a motion for summary judgment as to (1) infringement of the U.S. Patent No. 8,155,012; (2) Defendants' IEEE related defenses and counterclaims; (3) Defendants' defenses and counterclaims where Defendants bear the burden of proof but have failed to designate an expert witness; and (4) Defendants' derivation and inequitable conduct defenses. (Doc. No. 149-1.) Defendants have filed a letter brief in response. (Doc. No. 168-1). Having reviewed the briefing, Plaintiffs may file a motion for summary judgment as to: (1) infringement of the U.S. Patent No. 8,155,012; and (2) Defendants' IEEE related defenses and counterclaims. Particularly, the motion should address whether there was a duty to disclose the '012 patent in a standard setting environment. The remainder of Plaintiffs' request is **DENIED**. Accordingly, Plaintiffs' Letter Brief (Doc. No. 149-1) is **GRANTED-IN-PART** and **DENIED-IN-PART**.

**So ORDERED and SIGNED this 24th day of May, 2016.**

  
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JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE